

Message Text

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PAGE 01 AMMAN 03052 031549Z
ACTION PM-05

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CARMISH MAG TEHRAN
AMEMBASSY TEHRAN

C O N F I D E N T I A L AMMAN 3052

E.O.11652: GDS
TAGS: MASS, JO, US
SUBJECT: REBUILD BY IRAN OF JORDANIAN M48 TANKS

REF: A) STATE 076391 B) AMMAN 2264 C) STATE 054135 D) TEHRAN 03004

1. AFTER REVIEWING COMMENTS IN PARA 3 OF REF A AND SECTION 4 OF THE ACT, WE ARE STILL CONFUSED AS TO THE SPECIFIC LEGAL GROUNDS WHICH WOULD PRECLUDE THE GENERAL PROCEDURES PROPOSED BY EMBASSY IN REF B. THE INTENT OF OUR PROPOSAL WAS TO ENSURE THAT IRAN BECAME THE PRIMARY OBLIGOR ON THE LOA, THEREBY PROTECTING THE FINANCIAL INTERESTS OF ALL PARTIES CONCERNED, PARTICULARLY THOSE OF THE USG. THERE IS NO INTENT TO CIRCUMVENT THE SPIRIT OF THE LAW; IT IS CLEAR THAT THE ULTIMATE RECIPIENT OF THE RETROFIT KITS WILL BE JORDAN ONCE IRAN ACCOMPLISHES MODIFICATION OF THE JORDANIAN M48 TANKS, AT THE EXPENSE OF THE GOI.

2. WHILE THIRD COUNTRY TRANSFER IS NOT ONE OF PURPOSES OF
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ACT, (NOR IS IT SPECIFICALLY RULED OUT) THIS APPEARS TO US IRRELEOANT -- PURPOSE OF THE TRANSACTION WE SUGGESTED IS PROVISION OF ARMS TO A FRIENDLY COUNTRY WITH WHICH WE SHARE IMPORATNT FOREIGN POLICY INTERESTS. TRANSFER IS MERELY MEANS TO ACCOMPLISH THAT END. IN FACT, WE WOULD JUDGE THAT PARA. 3, SECTION 1 OF ACT, "TO FACILITATE THE COMMON DEFENSE BY ENTERING INTO INTERNATIONAL ARRANGEMENTS WITH FRIENDLY

COUNTRIES WHICH FURTHER THE OBJECTIVE OF APPLYING AGREED RESOURCES OF EACH COUNTRY TO PROGRAMS AND PROJECTS OF COOPERATIVE EXCHANGE OF DATA, RESEARCH, DEVELOPMENT, PRODUCTION, PROCUREMENT, AND LOGISTICS SUPPORT TO ACHIEVE SPECIFIC NATIONAL DEFENSE REQUIREMENTS AND OBJECTIVES"-- WOULD COVER THIS CASE. ARRANGEMENT WE HAVE SUGGESTED WOULD BE SPECIFIC INSTANCE OF POOLING OF RESOURCES TO MAXIMIZE THE IMPACT OF U.S. ASSISTANCE TO FRIENDLY RECIPIENTS, I.E. U.S. AND IRAN JOINING TO HALP JORDAN RATHER THAN THE U.S. DOING IT ALL ALONE.

3. WE RAISE POINTS ABOVE IN EFFORT OF CLARIFICATION, SINCE WE WILL HAVE TO BE IN POSITION TO EXPLAIN ULTIMATE U.S. POSITION TO GOJ, AND ALSO BECAUSE IT APPEARS TO US POLITICALLY INADVISABLE, BOTH IN U.S. AND JORDAN, TO ASK JORDANIANS TO OBLIGATE THEMSELVES FOR A SUM WHICH ALL RECOGNIZE THEY COULD NOT REPAY.

4. REQUEST THAT THE DEPARTMENT PROVIDE US WITH A MORE DETAILED DISCUSSION OF THE RATIONALE WHICH LIES BEHIND THE POSITION TAKEN IN REF. A. THIS WILL BE HALPFUL IN PERMITTING US TO DEVELOP RECOMMENDATIONS AND IN ANY EXPLANATION WE MAY HAVE TO MAKE TO THE GOVERNMENT OF JORDAN. WE AGREE THAT IMPORTANT POINT IS TO ENSURE THAT IRAN IS PRIMARY OBLIGOR WITH REGARD TO PAYMENT WHILE JORDAN UNRTYTNMND\$ ALL NECESSARY OBLIGATIONS WITH RESPECT TO
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THE USE OF THE MATERIAL. IF THAT CAN BE ACCOMPLISHED THROUGH SOME COMBINATION OF LOA'S AND THIRD COUNTRY TRANSFER ASSURANCES, THAT IN OUR JUDGMENT WOULD BE THE BEST AND MOST DESIRABLE RESULT FOR ALL CONCERNED.
PICKERING

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